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Application No.: 10/734,867
Office Action Dated: October 14, 2004

PATENT

REMARKS

Claims 41 to 51, 54, and 55 are pending in this application. Claims 41 to 43, 48 to 51, 54, and 55 are rejected under 35 U.S.C. §102(e).

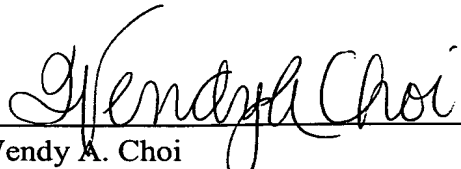
Rejection under 35 U.S.C. §102(e)

Claims 41 to 43, 48 to 51, 54, and 55 are rejected under 35 U.S.C. §102(e), as allegedly being anticipated by Scheme V of US-B-6,458,802. Applicants traverse this rejection by submitting a declaration under 37 C.F.R. §1.132 establishing that they invented this disclosed but unclaimed subject matter. Accordingly, since US-B-6,458,802 can no longer be said to constitute evidence that Scheme V “was described in a patent granted on an application for patent by another filed in the United States *before the invention by the applicant for patent*” (emphasis added), the rejection of claims 41 to 43, 48 to 51, 54, and 55 under 35 U.S.C. §102(e) should be withdrawn.

Conclusions

Applicants respectfully request reconsideration and withdrawal of the rejection of the claims in view of the declaration and remarks. If the Examiner has any questions, the Examiner is invited to call the undersigned at (215) 557-3861.

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